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BEFORE THE ARIZONA CORPORATION COMMISSION

COMMISSIONERS

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GARY PIERCE, Chairman  
BOB STUMP  
SANDRA D. KENNEDY  
PAUL NEWMAN  
BRENDA BURNS

CORP COMMISSION  
DOCKET CONTROL

In the matter of:

Richard M. Schmerman, individually and  
d/b/a Diversified Financial and/or  
Diversified Financial Planners, and Amy  
Schmerman, husband and wife;

Respondents.

DOCKET NO. S-20757A-10-0373

**MOTION TO SET A STATUS CONFERENCE  
AND OTHER AFFIRMATIVE ACTION**

On September 7, 2012, by procedural order, Respondent's request for a sixty (60) continuance was granted. In addition, a request for reconsideration regarding the withdrawal of counsel ("Withdrawal Motion") was taken under further advisement. In light of the expiration of the sixty day continuance, the Division respectfully requests that this matter be set for a status conference so that a new hearing date may be set. The Division anticipates it will call eight witnesses and would request five hearing days be set aside for its case-in-chief.

The Division also respectfully requests that the Administrative Law Judge enter an order clarifying the September 7, 2012, procedural order that took under advisement the Withdrawal Motion, by granting or denying the withdrawal of Respondent's counsel, Alan S. Baskin, Bade Baskin Richards, PLC, in this matter.

Respectfully submitted this 12<sup>th</sup> day of December, 2012.

By:

Arizona Corporation Commission

DOCKETED

DEC 12 2012

DOCKETED BY

*LM*

*[Signature]*  
Phong (Paul) Huynh  
Attorney for the Securities Division of the  
Arizona Corporation Commission

1  
2 ORIGINAL AND EIGHT (8) COPIES of the foregoing  
3 filed this 12 day of December, 2012 with:

4 Docket Control  
5 Arizona Corporation Commission  
6 1200 W. Washington St.  
7 Phoenix, AZ 85007

8 COPY of the foregoing hand-delivered this  
9 12 day of December, 2012 to:

10 Mr. Marc E. Stern  
11 Administrative Law Judge  
12 Arizona Corporation Commission/Hearing Division  
13 1200 W. Washington St.  
14 Phoenix, AZ 85007

15 COPY of the foregoing mailed this  
16 12 day of December, 2012 to:

17 Alan Baskin, Esq.  
18 Bade Baskin Richards  
19 80 East Rio Salado Parkway, Suite 511  
20 Tempe, Arizona 85281

21 COPY of the foregoing mailed this  
22 12 day of December, 2012 to:

23 Richard & Amy Schmerman  
24 2613 E. Mitchell Dr.  
25 Phoenix, AZ 85016

26  
  
By: \_\_\_\_\_